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Attorneys for Defendant  
DISH Network Corporation, et al.

IN THE UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

ENTROPIC COMMUNICATIONS, LLC,

Plaintiff,

v.

DISH NETWORK CORPORATION, *et al.*,

Defendants.

Case No.: 2:23-cv-01043-JWH-KES  
Case No.: 2:23-cv-01047-JWH-KES  
Case No.: 2:23-cv-01048-JWH-KES  
Case No.: 2:23-cv-05253-JWH-KES

**JOINT STIPULATION TO  
CONSOLIDATE CASES:**

**JOINT STIPULATION TO CONSOLIDATE CASES**  
CASE NOS. 2:23-cv-01043, 01047, 01048, 05253 (JWH-KES)

1 ENTROPIC COMMUNICATIONS, LLC,  
2 Plaintiff,  
3 v.  
4 COX COMMUNICATIONS, INC., *et al.*,  
5 Defendants.

***ENTROPIC COMMUNICATIONS, LLC  
v. DISH NETWORK CORPORATION, et  
al., CASE NO. 2:23-cv-01043-JWH-KES***

***ENTROPIC COMMUNICATIONS, LLC  
v. COX COMMUNICATIONS, INC., et  
al., CASE NO. 2:23-cv-01047-JWH-KES***

***ENTROPIC COMMUNICATIONS, LLC  
v. COMCAST CORPORATION, et al.,  
CASE NO. 2:23-cv-01048-JWH-KES***

***ENTROPIC COMMUNICATIONS, LLC  
v. DIRECTV, LLC, et al.,  
CASE NO. 2:23-cv-05253-JWH-KES***

10 ENTROPIC COMMUNICATIONS, LLC,  
11 Plaintiff,  
12 v.  
13 COMCAST CORPORATION, *et al.*,  
14 Defendants.

15 ENTROPIC COMMUNICATIONS, LLC,  
16 Plaintiff,  
17 v.  
18 DIRECTV, LLC, *et al.*,  
19 Defendants.

20 DISH NETWORK CALIFORNIA  
21 SERVICE CORPORATION,  
22 Counter-Claimant,

23 v.

24 ENTROPIC COMMUNICATIONS, LLC;  
25 MAXLINEAR, INC.; AND MAXLINEAR  
26 COMMUNICATIONS LLC,  
27 Counter-Defendants.

The parties, Plaintiff Entropic Communications, LLC (“Entropic”) and Defendants DISH Network Corporation; DISH Network L.L.C.; Dish Network Service L.L.C.; and Dish Network California Service Corporation (collectively “DISH” or “DISH Defendants”)<sup>1</sup>; Defendants Cox Communications, Inc.; Coxcom, LLC; and Cox Communications California LLC (collectively “Cox” or “Cox Defendants”); Defendants Comcast Corporation; Comcast Cable Communications, LLC; and Comcast Cable Communications Management, LLC (collectively “Comcast” or “Comcast Defendants”); and Defendants DIRECTV, LLC and AT&T Services, Inc.<sup>2</sup> (“DIRECTV” or “DIRECTV Defendants”) (together with Entropic, the “Parties”) hereby submit the following Joint Stipulation to consolidate the following cases through the date of the *Markman* hearing:

- *Entropic Communications, LLC v. DISH Network Corporation, et al.*, Case No. 2:23-cv-01043-JWH-KES;
- *Entropic Communications, LLC v. Cox Communications, Inc., et al.*, Case No. 2:23-cv-01047-JWH-KES;
- *Entropic Communications, LLC v. Comcast Corporation, et al.*, Case No. 2:23-cv-01048-JWH-KES; and
- *Entropic Communications, LLC v. DIRECTV, LLC, et al.*, Case No. 2:23-cv-05253-JWH-KES.

**WHEREAS**, Rule 42(a) of the Federal Rules of Civil Procedure provides that a court may consolidate actions before it if the cases involve a common question of law or fact;

**WHEREAS**, district courts have broad discretion under this rule to consolidate cases pending within the same district, and consolidation of related cases in federal court

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<sup>1</sup> DISH Network Corporation, DISH Network L.L.C., and Dish Network Service L.L.C. are referred to collectively as “DISH Colorado”.

<sup>2</sup> A stipulation for dismissal without prejudice as to AT&T Inc. and AT&T Communications, Inc. was filed on September 7, 2023.

1 is strongly encouraged (*see Ashe v. Swenson*, 397 U.S. 436, 455 (1970); *Pierce v. County*  
 2 *of Orange*, 526 F.3d 1190, 1203 (9th Cir. 2008); *Investors Research Co. v. United States*  
 3 *Dist. Court for Cent. Dist. of Cal.*, 877 F.2d 777 (9th Cir. 1989);

4 **WHEREAS**, on February 10, 2023, Entropic filed complaints against Comcast,  
 5 Cox, and DISH in the above-captioned cases, alleging infringement of the same patents;

6 **WHEREAS**, on July 1, 2023, Entropic filed a complaint against DIRECTV in the  
 7 above-captioned case, alleging infringement of the same patents as asserted in the  
 8 previously-filed actions against Comcast, Cox, and DISH;<sup>3</sup>

9 **WHEREAS**, the four actions involve the same plaintiff, the same patents, and  
 10 claims of infringement directed to the MoCA standard;

11 **WHEREAS**, except for DISH Colorado's pending motion to dismiss for  
 12 improper venue and Comcast's pending motion to dismiss for lack of subject matter  
 13 jurisdiction, the cases are also procedurally aligned in that they are all in their early  
 14 stages and some have not progressed beyond the pleading stage;

15 **WHEREAS**, consolidation of the cases would reduce the burden on the Court by:  
 16 1) reducing the number of duplicative filings and orders, and 2) reducing the number of  
 17 separate hearings on procedural and substantive issues the Court must schedule;

18 **WHEREAS**, consolidation of these cases would also increase efficiency for the  
 19 Parties;

20 **WHEREAS**, consolidation of the cases will avoid inconsistent results within each  
 21 case on identical issues, particularly with regard to discovery rulings and claim  
 22 construction of the same terms that are at issue in all four cases;

23 **WHEREAS**, no party would be prejudiced by consolidation as all Parties have  
 24 agreed to consolidate cases for pretrial purposes through the *Markman* hearing.

25 **WHEREFORE**, the Parties hereby stipulate to request that the Court issue an  
 26 order consolidating the above-captioned cases against the Comcast, Cox, DISH, and

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27  
 28 <sup>3</sup> Entropic and DIRECTV incorporate by reference their August 28, 2023 Status Report  
 regarding consolidation (Case No. 2:23-cv-05253-JWH-KES, Dkt. 27).

1 DIRECTV Defendants into a single action for pretrial purposes through the date of the  
2 *Markman* hearing, with the Lead Case being 2:23-cv-01043-JWH-KES. The Parties  
3 further stipulate to request that the Court order separate trials for each Defendant  
4 pursuant to Rule 42(b) of the Federal Rules of Civil Procedure and 35 U.S.C. § 299.

5  
6 Dated: October 12, 2023

By: /s/ Christopher S. Marchese

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Dated: October 12, 2023

Respectfully Submitted,

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**SIGNATURE CERTIFICATION**

Pursuant to Local Rule 5-4.3.4(a)(2)(i), I, Christopher S. Marchese, attest that all other signatories listed above concur in this filing's content and have authorized the filing.

/s/ Christopher S. Marchese